

**DEPARTMENT OF THE TREASURY  
FEDERAL LAW ENFORCEMENT TRAINING CENTER  
GLYNCO, GEORGIA 31524**

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FLETC DIRECTIVE (FD)

NUMBER: 67-52

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Subject:

DATE: 09/18/89

Sunset Review:

DISCIPLINARY AND ADVERSE ACTIONS

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1. PURPOSE. This directive provides guidance for disciplinary and adverse action procedures at the Center.

2. SCOPE. The provisions of this directive apply to all employees of the Center.

3. CANCELLATION. This directive cancels FD 67.52, Adverse Actions, date December 16, 1983 and Amendment I, date January 19, 1984.

4. REFERENCES.

- a. Title 5, U.S.C., Chapters 75 and 77.
- b. Title 5, Code of Federal Regulations, Part 752, as amended.
- c. Federal Personnel Manual, Chapter 752.
- d. Federal Personnel Manual, Chapter 771.
- e. Treasury Personnel Management Manual, Chapter 752.
- f. FLETC Directive No. 67-71, FLETC Grievance System.
- g. FLETC Directive No. 64-30.A, Actions Based on Unacceptable Performance.

5. DEFINITIONS.

- a. Suspension. The placing of an employee, for disciplinary reasons, in a temporary status without duties and pay, for a definite period of time.

b. Indefinite Suspension. The placing of an employee in a temporary status without duties and pay pending investigation, inquiry, or further agency action, lasting an indefinite period of time and ending with the occurrence of the pending conditions set forth in the notice of action, which may include the completion of any subsequent administrative action.

c. Days. Calendar days unless otherwise stated. If, however, a time limit expires on a weekend, holiday, or other non-workday, the time limit will be extended to the next workday.

d. Representative. A representative may be an attorney or other person selected by the employee; however, the choice may be disallowed if there is a conflict of interest or position, unreasonable cost to the Government, or priority work assignments which preclude his or her release.

e. Proposing Official. An official who is the affected employee's supervisor or another official at a higher administrative level than the employee.

f. Reply Officer. The official who may receive an employee's oral or written reply to the notification of disciplinary or adverse action. This individual may also be the deciding official or, at a minimum, must have sufficient authority to recommend what final decision should be made on a proposed disciplinary or adverse action. The reply officer must be administratively superior to, or organizational separate from, the employee.

g. Deciding Official. An official who is of a higher administrative level than the official proposing the action, and who renders the final decision on a proposed disciplinary or adverse action.

h. Furlough. The placing of an employee in a temporary status without duties and pay because of lack of work or funds or other nondisciplinary reasons.

i. Grade. A level of classification under the position classification system.

j. Pay. The rate of basic pay fixed by law or administrative action for the position held by an employee.

6. POLICY. The Center subscribes to the concept of progressive discipline, where warranted. Progressive discipline is explained as follows: Some misconduct, in and of itself, may not be sufficiently grave or serious to warrant removal, or even a severe disciplinary action, to achieve the objective of correcting the conduct of an employee or group of employees. In such cases, the least severe corrective action deemed

adequate to achieve the desired result and proportionate to the offense should be used. If correction is not achieved, then more severe disciplinary action is warranted for each repetition. The concept of progressive discipline does not preclude going directly to removal in those cases where employee misconduct is so serious as to warrant it.

7. RESPONSIBILITIES.

a. The Director is accountable for compliance with and proper implementation and administration of all controlling laws, rules, policies, regulations and negotiated agreements concerning workforce discipline.

b. The Personnel Officer is responsible for:

(1) the development and implementation of procedures for taking disciplinary or adverse actions;

(2) providing managers and supervisors with guidance in carrying out their responsibilities under this directive and determining whether a proposed disciplinary or adverse action is warranted on its merits, i.e., whether it is for "such cause as will promote the efficiency of the service;"

(3) advising employees of their rights; and

(4) ensuring that all disciplinary or adverse actions are processed promptly, fairly and effectively.

8. PROCEDURES. The laws and regulations governing disciplinary or adverse actions prescribe certain procedures and give basic rights to employees against whom disciplinary or adverse action is being proposed. The fundamental purpose of these legal and regulatory provisions is to require that adverse actions be taken only for "such cause as will promote the efficiency of the service" and to establish fair, orderly, and uniform procedures for effecting actions which are warranted on their merits. Attachments I and II describe the types of disciplinary or adverse actions and the procedures to be followed for each action.

9. AVAILABILITY FOR INSPECTION. Copies of the Federal Personnel Manual, Chapter 752, and the Treasury Personnel Management Manual (TPMM), Chapter 752, are available in the Personnel Division on a continuing basis to employees and/or representatives. Any information contained therein not specifically addressed in this directive is controlling.

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10. OFFICE OF PRIMARY INTEREST. Personnel Division, Office of Administration.

Charles F. Rinkevich  
Director

Attachments (2) are available from the Personnel Division